

## Applicant Initiated Interview Request Form

Application No.: 10/821,229 First Named Applicant: Tara Ziolo  
Steven J.  
Examiner: Cotroneo Art Unit: 3733 Status of Application: Pending

### Tentative Participants:

(1) Ex. Cotroneo (2) Matthew H. Szalach  
(3)        (4)       

Proposed Date of Interview: 10-12-2010 Proposed Time: 10:00 (☒AM ☐PM)

### Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description:       

## Issues To Be Discussed

Issue (Reg., Obj., etc.)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rejection</u>	<u>47, 58, 65</u>	<u>Wagner (US</u> <u>2001/0014807)</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>      </u>	<u>      </u>	<u>Nielsen (US</u> <u>3,515,418)</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) <u>      </u>	<u>      </u>	<u>      </u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) <u>      </u>	<u>      </u>	<u>      </u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

### Brief Description of Arguments to be Presented:

Applicants respectfully submit that movement of the bone screw (20) of Wagner is "required" to cause expansion of the ring (18) and, further, that the ring (18) would not be rotated relative to the bone screw (20) to expand the ring (18) as the taper of the head (32) of the bone screw (20) is what causes expansion of the ring (18). See Wagner at Par. [0039]. Therefore, while the ring (18) "could" be rotated relative to the bone screw (20), such rotation of the ring (18) relative to the bone screw (20) would not result in expansion of the ring (18).

With respect to Nielsen, Applicants note that the ring (25) is an "internal" component of the tube (11) and, therefore, cannot be rotated independently from the tube (11). See Nielsen at Fig. 2. Therefore, rotation of the ring (25) can only be accomplished when the tube (11) is rotated. Applying a force directly to the ring (25) to rotate the cam (25) relative to the tube (11) is not possible.

An interview was conducted on the above-identified application on       .

### NOTE:

This form should be completed by application and submitted to the examiner in advance of the interview (see MPEP § 713.01)

**This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.**

  
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(Applicant/Applicant's Representative Signature)

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(Examiner/SPE Signature)